

IAP6 Rec'd PCT/PTO 11 <sup>PCT</sup> SEP 2006

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PTO/SB/21(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|  |                           |                        |           |
|--|---------------------------|------------------------|-----------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | International Appln No    | PCT/CA2004/001436      |           |
|  | International Filing Date | July 30, 2004          |           |
|  | First Named Inventor      | James Johnson          |           |
|  | Group Art Unit            | Unknown                |           |
|  | Examiner Name             | Unknown                |           |
| Total Number of Pages in This Submission   |                           | Attorney Docket Number | 26090-049 |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request (1 mo)<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Requirements<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"><li>• Certificate of Mailing</li><li>• Executed Combined Dec and Power of Attorney</li><li>• Copy of Notification Of Missing Requirements</li><li>• Receipt Card</li></ul> |
| Remarks  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                |
|--|--------------------------------|
| Firm or Individual name                    | Rakesh Mehta (Reg. No. 50,224) |
| Signature                                  | <i>Rakesh H. Mehta</i>         |
| Date                                       | September 8, 2006              |

| CERTIFICATE OF MAILING  |                         |      |                   |
|---|-------------------------|------|-------------------|
| I hereby certify that this correspondence is being sent via first class mail to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                         |      |                   |
| Typed or printed name   | Cathleen Collins        |      |                   |
| Signature   | <i>Cathleen Collins</i> | Date | September 8, 2006 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.



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# FEE TRANSMITTAL for FY 2006

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 250.00

## Complete if Known

|                      |               |
|----------------------|---------------|
| Application Number   | 10/566,537    |
| Filing Date          | July 30, 2004 |
| First Named Inventor | James Johnson |
| Examiner Name        | Unknown       |
| Group / Art Unit     | Unknown       |
| Attorney Docket No.  | 26090-049     |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

501447

Deposit  
Account  
Name

Potter Anderson & Corroon LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 1000     | 201          | 500      | Utility filing fee     |          |
| 106          | 430      | 206          | 215      | Design filing fee      |          |
| 107          | 660      | 207          | 330      | Plant filing fee       |          |
| 108          | 1400     | 208          | 700      | Reissue filing fee     |          |
| 114          | 200      | 214          | 100      | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims  -20 =  Extra Claims X  Fee from below  =  Fee Paid

Independent Claims  -3 =  X  =

Multiple Dependent ☐ X  =

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 103          | 50       | 203          | 25       | Claims in excess of 20                                     |
| 102          | 200      | 202          | 100      | Independent claims in excess of 3                          |
| 104          | 360      | 204          | 180      | Multiple dependent claim, if not paid                      |
| 109          | 200      | 209          | 100      | ** Reissue independent claims over original patent         |
| 110          | 50       | 210          | 25       | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  | \$130    |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,520    | 147          | 2,520    | For filing a request for reexamination                                     |          |
| 112          | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115          | 120      | 215          | 60       | Extension for reply within first month                                     | \$120    |
| 116          | 450      | 216          | 225      | Extension for reply within second month                                    |          |
| 117          | 1020     | 217          | 510      | Extension for reply within third month                                     |          |
| 118          | 1,590    | 218          | 795      | Extension for reply within fourth month                                    |          |
| 128          | 2,160    | 228          | 1,080    | Extension for reply within fifth month                                     |          |
| 119          | 500      | 219          | 250      | Notice of Appeal   |          |
| 120          | 500      | 220          | 250      | Filing a brief in support of an appeal                                     |          |
| 121          | 1000     | 221          | 500      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 500      | 240          | 250      | Petition to revive - unavoidable   |          |
| 141          | 1,500    | 241          | 750      | Petition to revive - unintentional   |          |
| 142          | 1,400    | 242          | 700      | Utility issue fee (or reissue)   |          |
| 143          | 800      | 243          | 400      | Design issue fee   |          |
| 144          | 100      | 244          | 550      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123          | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146          | 790      | 246          | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149          | 790      | 249          | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179          | 790      | 279          | 395      | Request for Continued Examination (RCE)                                    |          |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 250.00)

## SUBMITTED BY

Complete (if applicable)

|                   |              |                                  |        |           |                   |
|-------------------|--------------|----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Rakesh Mehta | Registration No. Attorney/Agent) | 50,224 | Telephone | (302) 984-6089    |
| Signature         |              |                                  |        | Date      | September 8, 2006 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.



## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on September 8, 2006  
Date

Signature

Cathleen M. Collins

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

U.S. Application No: 10/566,537  
International Application No: PCT/CA2004/001436  
International Filing Date: July 30, 2004  
Title: Tamper Evident Fitment Assembly  
First Named Inventor: James Johnson  
Attorney Docket: 26090-049

- Transmittal
- Fee Transmittal
- Petition For Extension Of Time (1 Mo)
- Response To Notification Of Missing Requirements Mailed 6/9/06
- Executed Combined Declaration and Power of Attorney
- Copy of Notification Of Missing Requirements
- Receipt Card



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James Johnson

U.S. Serial No.: 10/566,537

I.A. Serial No.: PCT/CA2004/001436

Atty. Docket: 26090-049

For: Tamper Evident Fitment Assembly

I.A. Filing Date: July 30, 2004

Art Unit: Unknown

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(b)**

Sir:

This letter is in response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office which indicates that a signed Oath or Declaration for the subject patent application is needed.

Enclosed please find an executed Combined Declaration and Power of Attorney for International application number PCT/CA2004/001436 with respect to the subject patent application, as well as a copy of the Notification Of Missing Requirements. A one month extension of time accompanies this response.

If there are any fees which have not been accounted for please charge them to Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

09/13/2006 MKAYPAGH 00000097 501447 10566537

01 FC:1617 130.00 DA  
02 FC:1251 120.00 DA

Dated: September 08, 2006

Respectfully submitted,

Rakesh Mehta  
Attorney for Applicant  
Registration No. 50,224  
Telephone: (302) 984-6089  
Facsimile: (302) 658-1192

8/9/2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/566,537                  | Liqui-Box Canada Inc. | 26090049         |

INTERNATIONAL APPLICATION NO.

PCT/CA04/01436

I.A. FILING DATE

07/30/2004

PRIORITY DATE

08/01/2003

Potter Anderson & Corroon  
 1313 N. Market Street  
 Hercules Plaza  
 Wilmington, DE 19801

CONFIRMATION NO. 6154

371 FORMALITIES LETTER



\*OC000000019197506\*

Date Mailed: 06/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/31/2006
- Copy of the International Search Report filed on 01/31/2006
- Request for Immediate Examination filed on 01/31/2006
- U.S. Basic National Fees filed on 01/31/2006
- Priority Documents filed on 01/31/2006

# RECEIVED

*Handwritten:* DW  
 JUN 16 2006

POTTER ANDERSON &amp; CORROON LLP

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/566,537                  | PCT/CA04/01436                | 26090049         |

FORM PCT/DO/EO/905 (371 Formalities Notice)